



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

EPA Region 5 Records Ctr.



275605

February 11, 1997

REPLY TO THE ATTENTION OF:

Dear Skinner Landfill PRP:

This letter is to invite you to attend a meeting to be held on March 11, 1997, beginning at 11:00 in the Taft Ballroom of the Westin Hotel, 21 E. Fifth Street, Cincinnati, Ohio. The purpose of the meeting is to discuss the United States Environmental Protection Agency's (U.S. EPA) plans with regard to the cleanup of the Skinner Landfill in West Chester, Ohio ("Site"); to review the general sources of information which link parties to the Site; and to offer parties the assistance of a mediator and the use of an alternative dispute resolution (ADR) process to help parties design an equitable allocation procedure to assist them to establish a PRP group. An agenda for the March 11th meeting is attached to this letter.

The reason you are receiving this letter is because U.S. EPA has information which may link you or your client to the site as a potentially responsible party. You may recall that you received a letter from me dated January 8, 1997 in which you were notified that U.S. EPA had determined that you are a potentially responsible party (PRP) at the Skinner Landfill.

Many parties, in response to my January 8, 1997 letter, have indicated an interest in participating in an ADR process. All parties who have requested information regarding the basis of U.S. EPA's determination of potential liability ("nexus information") have received or will shortly receive copies of relevant nexus information regarding your potential involvement at the site. However, it has come to my attention that some of the nexus information previously sent by the steering committee did not contain sufficient explanation of the documents which were enclosed. We are trying to remedy this situation through an additional mailing from Michael T. Kay of The Dow Chemical Company, which will be sent to all prior recipients of the nexus information, and should provide more complete information than that previously forwarded. Additionally, some of you may wish to receive complete copies of any depositions/interview notes which might link you or your client to the Site. If, after receiving additional information from Mr. Kay, you still have questions, or if you would like a complete copy of the deposition/interview notes which purport to link you or your client, please contact Laura Ringenbach at (513) 357-9362.

If you have not received information you have already requested, please contact me at your earliest convenience. My goal is to see that you are provided this information prior to the March 11, 1997 ADR meeting; if this goal is not accomplished, the information will be available on March 11th. If you have not previously indicated an interest in attending the first ADR session, either through a telephone conversation with me or a written response, and do now plan to attend, please call Ms. Ringenbach if you wish to have copies of the nexus information regarding you or your client available at the meeting.

One of the purposes of the ADR meeting is to assist parties to set up an allocation procedure for potentially responsible parties at the Site. Daniel P. Dozier, Vice President of TLI Systems, Inc., will facilitate discussions among the PRPs and between the PRPs and U.S. EPA. Mr. Dozier will be available to assist parties to consider an allocation procedure and to select an allocator, who could be either Mr. Dozier or another person, as the PRPs collectively decide.

Once an allocation procedure has been established, parties will be able to evaluate the totality of site-related information, provide additional information in connection with the allocation procedure, and raise whatever equitable and legal issues might be appropriate to produce an allocation which is fair, reasonable, and acceptable to the parties. Depending on the preferences of the parties, the allocation procedure could range from mediation, mediation with an allocation recommendation, through non-binding or even binding arbitration.

U.S. EPA is paying for Mr. Dozier's services for a short time to assist parties to establish an allocation procedure and select an allocator. U.S. EPA, however, is only willing to pay a portion of the allocator's/mediator's services beyond this initial convening phase, as U.S. EPA believes that it is important for parties participating in the ADR process to have a financial stake in its outcome. Enclosed is a copy of a May 1995 U.S. EPA fact sheet, "Use of Alternative Dispute Resolution in Enforcement Actions" which provides general information regarding Agency policy concerning the use of these processes. If you are unable to attend or send a representative to the meeting, but still wish to participate in the ADR process, please contact me after the March 11th meeting for the date, time and location of subsequent meetings, as we do not plan on sending any more meeting notices until the special notice letter is sent (discussed below).

U.S. EPA plans on issuing special notice pursuant to Section 122(a) of CERCLA by June 30, 1997. Special notice letters inaugurate a 120-day enforcement moratorium period as provided in CERCLA. During this moratorium period, the Agency is prohibited by the statute from initiating any enforcement activities so long as a good-faith offer is received from PRPs within 60 days of receipt of the special notice. Allocation activities among the PRPs could, of course, continue once special notice is received, but negotiations with U.S. EPA on a good-faith offer should begin shortly after receipt so that the good-faith offer can be made within the 60-day time period.


While U.S. EPA hopes and expects that the ADR process will be successful and of value to the PRPs, U.S. EPA, of course, retains all of its enforcement authorities in the event that the process is unsuccessful, or if a good-faith offer is not received by the Agency. Included in the special

notice which will be issued by the end of June, U.S. EPA expects to include an offer pursuant to the Orphan Share Reform guidance, issued in June 1996. This reform allows the Agency to forgive certain percentages of U.S. EPA's past response costs at the Skinner Landfill which otherwise would normally be sought from PRPs, based upon formulas set forth in the June 1996 guidance. As of September 30, 1995, these unreimbursed past response costs totaled approximately \$3.5 million. However, the reform is only available to those parties signing a consent decree with the Agency to conduct or finance the remedial action at the Site.

Among U.S. EPA's other enforcement authorities are unilateral administrative orders (UAOs) for the conduct of the remedial action at the Site, pursuant to CERCLA §106(a). Parties who refuse to comply with any UAOs issued for this Site are potentially subject to \$25,000 per day in statutory penalties, if a judge would determine that the parties' non-compliance was without sufficient cause. Since the stakes for U.S. EPA are the completion of the final remedial action at the Site, U.S. EPA will seek enforcement for any non-compliance with any UAOs issued. If the Agency is forced to bring a claim to enforce a §106(a) order for the final remedial action, that claim will also include any past non-compliance with other administrative orders issued for this Site.

If you have any questions regarding this letter, the ADR process for the Skinner site, or any other legal questions, please contact me at (312) 886-7164. Questions regarding nexus information or the logistical arrangements for the March 11, 1997 meeting should be addressed to Laura Ringenbach at (513) 381-2838. The Westin Hotel's number is (513) 621-7700. If you wish to speak to Mr. Dozier regarding his role, feel free to call him at (301) 718-2270.

Sincerely,

A handwritten signature in cursive script that reads "Sherry L. Estes".

Sherry L. Estes
Assistant Regional Counsel

Enclosure

cc: Craig Melodia
James Bell
Elliot Rockler, DOJ
Michael T. Kay
Laura Ringenbach
Daniel P. Dozier

AGENDA

FIRST ADR CONVENING SESSION
SKINNER LANDFILL SITE
MARCH 11, 1997

I Site Background

- A. Status of Remedial Design
- B. Enforcement Status

II. Description of ADR Process

- A. Convening Phase
- B. Allocation Phase
- C. Possible Mediation With U.S. EPA

III. Special Notice Procedures/ Relationship to ADR

IV. PRP Portion of Meeting (U.S. EPA leaves room)

----- The Alternative Dispute Resolution Fact Sheet -----

USE OF ALTERNATIVE DISPUTE RESOLUTION IN ENFORCEMENT ACTIONS

INTRODUCTION

Alternative Dispute Resolution (ADR) is a tool which enhances the negotiating process. ADR is a standard component of EPA's enforcement program. It should be considered at any point when negotiations are possible. This fact sheet answers common questions about the use of ADR in enforcement actions and describes how to use ADR in your case. This is the first in a series of Fact Sheets on ADR use.

WHAT IS ADR?

ADR is a short-hand term for a set of processes which assist parties in resolving their disputes quickly and efficiently. Central to each method of ADR is the use of an objective third party or neutral. In this fact sheet the use of the term "ADR" refers to all methods of ADR. The methods used by the Agency include the following:

- Mediation is the primary ADR tool used by EPA. It is a process in which a third party, with no decision-making authority, assists disputants to reach a voluntary negotiated settlement. In mediation, EPA retains its control of the case as well as its settlement authority.
- Convening involves the use of a third party to organize disputants for negotiations and assist them in deciding whether to use ADR and in the selection of an appropriate ADR professional.
- Allocation is the use of third party neutrals to assist the parties in determining their relative responsibilities for Superfund site costs.
- Arbitration is a decision-making process which can be binding or non-binding. A third party hears the dispute and renders a decision. EPA may enter into binding arbitration for cost recovery claims below \$500,000 under CERCLA 122(h)(2), 42 U.S.C. 9622(h)(2).
- Fact-finding, often used in technical disputes, involves the use of a third party with subject-matter expertise to investigate and determine findings of fact.

WHAT IS EPA'S POLICY ON USE OF ADR?

Use of ADR in appropriate cases has been EPA policy since 1987 (Guidance on the Use of ADR in Enforcement Actions, August 1987). The Administrative Dispute Resolution Act of 1990, (P.L. 101-552), 5 U.S.C. 581, strengthened EPA policy by encouraging the use of ADR in all federal disputes. Also, in 1990 the Civil

Justice Reform Act was passed, authorizing that district court judges require parties to attempt mediation prior to litigation. A companion to these Acts, the Executive Order on Civil Justice Reform (No. 12778, October 23, 1991), requires all federal enforcement staff to attempt settlement, and offer use of ADR as appropriate, prior to initiating any litigation.

WHAT IS EPA'S EXPERIENCE WITH ADR?

The Agency has used ADR to assist in the resolution of over 50 enforcement-related disputes to date. ADR has been used in negotiations arising under Superfund, the Resource Conservation Recovery Act (RCRA), the Emergency Planning & Community Right-To-Know Act (EPCRA), the Clean Air Act (CAA), the Clean Water Act (CWA), the Federal Insecticide, Fungicide & Rodenticide Act (FIFRA) and the Toxic Substances Control Act (TSCA). Mediated negotiations have ranged from two-party CWA cases to Superfund disputes involving upwards of 1200 parties.

Participants in the 1990 ADR pilot for Superfund cases reported the following benefits: constructive working relationships were developed; obstacles to agreement and the reasons therefor were quickly identified; mediators helped prevent stalemates; costs of preparing a case for DOJ referral were eliminated; and ongoing relationships were preserved.

WHAT ARE THE BENEFITS OF USING ADR?

- It lowers the transaction costs for resolving the dispute.
- Mediated negotiations tend to focus more on resolving real issues, rather than posturing, and are less likely to get derailed by personality conflicts.
- In mediation, the parties are more likely to identify settlement options that are tailored to their particular needs.
- It alleviates the time-consuming burdens on EPA of organizing negotiations because a third party neutral is available to handle these tasks. This is particularly valuable in multi-party cases.

HOW DO I KNOW THAT ADR IS APPROPRIATE FOR MY CASE?

If you can **answer** the following questions affirmatively, then ADR may be **appropriate** for your case:

- Are there present or foreseeable difficulties in the negotiation which will require time or resources to overcome in order to reach settlement?
- Is your case negotiable, i.e. no precedent-setting issues are involved?
- Is there enough case information to substantiate the violation(s)?
- Is there sufficient time to negotiate in light of court

or statutory deadlines, or are the parties willing to sign a tolling agreement (an understanding that a statutory deadline for starting a lawsuit will be extended)?

WHAT ADR IS NOT !

- A sign of weakness in the government's case
- A sign of weakness in the government attorneys' negotiation skills
- A depreciation of the government's potential recovery
- A last resort

WHAT ADR SERVICES ARE AVAILABLE?

Assistance regarding the use of ADR is available at any time by phone from the HQ ADR Team and the regional ADR Specialists, who are identified at the end of this fact sheet. EPA has an indefinite services contract for dispute resolution services with RESOLVE, a nationally recognized ADR firm, to provide a wide range of ADR services to case team members. Services available include confidential consultation regarding use of ADR in specific cases, assistance in the location, selection and contracting of ADR professionals, and provision of neutral party services on behalf of the U.S. Trips to regional offices to assist in reviewing cases appropriate for ADR use can be arranged upon request.

HOW DO I FIND OUT IF ANYONE IN MY REGION HAS USED ADR?

Speak with your regional ADR Specialist and get a copy of recent ADR status reports.

HOW DO I NOMINATE A SUPERFUND, RCRA CORRECTIVE ACTION, OR OIL POLLUTION ACT CASE FOR ADR?

It is a very simple process. For these disputes the ORC staff attorney should prepare a 1-2 page ADR nomination memorandum briefly outlining the substance of the case, the nature of the dispute, and the reasons that ADR would be of benefit to regional settlement efforts. This memorandum will be used as the basis for establishing a contract with the selected ADR professional. The ORC staff attorney should forward the nomination memo to the Regional Counsel, or designee, who has authority to approve the nomination. Then the appropriate regional official needs to commit funding for ADR services.

Consultation with one of the ADR Specialists on the use of ADR in a case should be obtained before the case is nominated. A copy of the nomination memo should be sent to the HQ ADR Liaison and your regional ADR Specialist. A model nomination memorandum is available on disk from your regional ADR Specialist.

WHAT FUNDING IS AVAILABLE TO PAY FOR EPA'S SHARE OF ADR EXPENSES in these cases?

Beginning in FY '96 funding for ADR services will shift from HQ to the Regions and will be included as part of each Region's annual extramural Superfund budget based on regional need. If any Region is short of funds, please contact David Chamberlain, at 202-260-4118, and David Batson, HQ ADR Liaison, at 703-603-9004. Additional funding will be provided from the Office of Site Remediation Enforcement (OSRE) based on justified need.

WHAT DO I DO FOR CASES THAT ARISE UNDER OTHER STATUTES?

For other enforcement cases, the ADR nomination memorandum should be sent to the Division Director within the Office of Regulatory Enforcement who has responsibility for the statute under which the civil action is brought, with a copy to the HQ ADR Liaison and your regional ADR Specialist. The appropriate media program office is consulted upon receipt of the nomination. Funding for non-Superfund cases is approved on a case-by-case basis.

WHAT CONTRACT MECHANISMS ARE AVAILABLE TO OBTAIN ADR SERVICES?

The following options are available: (1) the indefinite services contract with RESOLVE, which is managed by the Office of Policy, Planning and Evaluation (OPPE) (Debbie Dalton, Project Officer, 202-260-5495) and (2) expedited sole source contracting authorized by recent changes to federal acquisition regulations. The Regional Enforcement Support Services (ESS) contract may be used to obtain services to support the ADR neutral's efforts. To date, the RESOLVE contract has been the primary vehicle used by the ADR program.

A procurement request and other contracting documents must be submitted for each case to the appropriate contract official, following regional approval of the ADR nomination memorandum. It takes approximately 30 days to process the contracting documents through the contracts office. Models of an ADR procurement request and other contracting documents are available on disk from the HQ ADR Team or your regional ADR Specialist. Each Region should designate a lead staff contact for contract coordination.

WHO MANAGES THE CONTRACT WITH THE SELECTED ADR NEUTRAL?

Each site-specific use of ADR requires either a separate contract or delivery order which is managed by the nominating region. To establish a contract or delivery order, the contracts office requires the designation of a Contracting Officer's Representative (COR). (See footnote 1 below) The Remedial Project Manager (RPM), On Scene Coordinator (OSC), or other person familiar with the case may serve as a COR.

===== Foot Note =====

- 1 Under the new contracting regulations, all Delivery Order Project Officers (DOPOs) and Work Assignment Managers (WAMs) are referred to as CORs.

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HOW DOES A CASE TEAM SELECT AND CONTRACT WITH AN ADR NEUTRAL FOR HIS/HER SERVICES? HOW LONG DOES THIS TAKE?

The selection of an appropriate ADR neutral for a case is by agreement of all parties to the dispute. The regional/DOJ case team represents the U.S. in this decision. Assistance in identifying and considering appropriate neutrals is available from the HQ ADR Team or through EPA's contractor.

The services of the selected ADR neutral are obtained by all the parties to a dispute by entering a contract with the neutral. The contract, generally called a "mediation agreement", covers arrangements for sharing and paying the mediator's fees, the role of the mediator, confidentiality, and the right of any party to withdraw from the mediation. An EPA approved model mediation agreement is available on disk from your regional ADR Specialist or from the HQ ADR Team. You should use this as the basis for your negotiations.

The agreement is negotiated by the case team and the private parties, with assistance, if needed, from the HQ ADR Team or an ADR expert from RESOLVE. Experience has shown that the model agreement is generally acceptable to private parties and it should take no longer than two weeks to obtain a signed agreement.

DOES A REGION HAVE THE AUTHORITY TO SIGN THE AGREEMENT WITH THE ADR PROFESSIONAL?

Yes. Once the funding has been committed by the Agency, the Region, generally the staff attorney, signs the agreement for EPA.

HOW MUCH DOES IT USUALLY COST TO USE ADR IN A CASE?

The cost of ADR services is determined by several factors, including the ADR professional's fees and travel, costs of meeting space, and the length of settlement discussions. All costs associated with the selected ADR process are shared equitably among the parties. EPA staff should keep the Agency's share payment commensurate with EPA's interest in the ADR process. At present, the Agency may pay 100% of the convening process and up to 50% of the ADR costs, where the Agency is a party to the selected ADR process. The estimated average historic mediation cost to EPA in Superfund cases is approximately \$20,000. Given the smaller number of parties generally involved, it is anticipated that the cost of mediating a RCRA case will be less expensive than for Superfund actions.

The Agency may, in appropriate circumstances, help to defray private parties' costs of obtaining ADR services in allocation deliberations. The Agency may pay up to 20% of the costs of ADR services in these situations.

WHY MUST THE COSTS ASSOCIATED WITH USING ADR IN AN ENFORCEMENT ACTIONS BE SHARED EQUITABLY BY THE PARTIES?

Two reasons. First, to enhance the neutrality of the ADR professional involved, it is important that the costs be shared by all parties to the extent possible. Second, several federal statutes, including the Miscellaneous Receipts Act, prohibit an agency from augmenting its congressionally-approved budget with services paid for by outside parties. Therefore, EPA must share

the costs of a neutral's services with the other parties to an enforcement dispute.

ARE GOVERNMENT PAYMENTS MADE TO AN ADR PROFESSIONAL IN A SUPERFUND ACTION TRACKED AND RECOVERABLE AS SITE COSTS FOR COST RECOVERY PURPOSES?

Expenditures by the Agency in support of the use of ADR in a Superfund action are cost recoverable expenses, reimbursement of which may be obtained through regional settlements or legal action. Regions may exercise their enforcement discretion regarding recovery of ADR expenditures. Each ADR case is assigned a separate delivery order or contract to allow for site tracking of ADR expenses.

IS ADR TRAINING AVAILABLE?

Yes. A one day overview training on the use of ADR in enforcement negotiations is offered in all of the regions each year. Furthermore, there are ADR components in several other popular EPA training courses. If you are interested in the training schedule for the current year call Rhonda Pierce at 202-260-8174.

HOW DO I GET COPIES OF ADR GUIDANCES, REPORTS AND OTHER RELATED INFORMATION?

The materials listed below are available at no charge to EPA employees from the National Technical Information Service (NTIS) (phone: 703-487-4650). You will need to provide NTIS with the number in brackets.

"Guidance on Use of ADR in Enforcement Cases" (1990), [PB94-963669], OSWER No. 9208.0-10.

"Guidance on Use of ADR for Litigation in Federal Courts" (DOJ, 1992), [PB94-963-668], OSWER No. 9208.0-09.

"Enforcement Mediation-Status on Use of ADR in Enforcement Actions", [PB94-963670], OSWER No. 9208.0-11.

"Superfund Enforcement Mediation Region V Pilot Results", [PB94-963671], OSWER No. 9208.0-12.

"Superfund Enforcement Mediation Case Studies", [PB94-963672], OSWER No. 9208.0-13.

--- ADR SPECIALISTS ---

OFFICE	NAME	PHONE #	FAX #
Region 1	Ellie Tonkin	617/565-1154	565-1141
	Marcia Lamel	565-3435	
	Bruce Marshall *	573-9686	573-9662
Region 2	Tom Lieber	212/637-3158	637-3115
	Elena Kissel	637-3182	
	Janet Feldstein *	637-4417	637-4419

Second ADR
Mailing

February 11, 1997

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Sincerely,

Sherry L. Estes
Assistant Regional Counsel

Encl.

cc: Craig Melodia
James Bell
Elliot Rockler, DOJ
Michael T. Kay
Laura Ringenbach
Daniel P. Dozier

AGENDA

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SKINNER LANDFILL SITE

MARCH 11, 1997

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B. Allocation Phase

C. Possible Mediation With U.S. EPA

III. Special Notice Procedures/ Relationship to ADR

IV. PRP Portion of Meeting (U.S. EPA leaves room)

Skinner ADR Process
Parties Seeking Nexus Information

1. David Morgan
P.O. Box 358
Middletown, OH 45042
RE: Mecco Cc
2. Melinda Kemp
Champion International Corp.
1 Champion Plaza
Stamford, Conn. 06921
3. Major Michael A. Corbin
U.S. Army Environmental Law Division
901 N. Stuart St.
Suite 400
Arlington, VA 22203
4. Janet Henry
Porter Wright Morris & Arthur
41 S. High St.
Columbus, OH 43215
5. Rachel Deming
CIBA Speciality Chemical Corp.
520 White Plains Rd.
Tarrytown, NY 10591
6. Henry L. Stephens, Jr.
Greenebaum, Doll & McDonald
P.O. Box 2673
Covington, KY 41012-2673
RE: Maxwell Co.
7. Dave Stevenson
524 Walnut Street
Suite 601
Cincinnati, OH 45202
RE: City of Reading, Ohio
8. John Stephens
Corporate Manager
Environmental Affairs
Cincinnati, Ohio 45204
9. Cheryl Foerstner
B.P. America
200 Public Square, 11-C
Cleveland, OH 44114
10. Robert L. Thesken
Techno Adhesives Co.
12113 Mosteller Road
Cincinnati, Ohio 45241

**Skinner ADR Process
Parties Seeking Nexus Information
List # 2--February 6, 1997**

1. Kevin Mc Murray
Frost & Jacobs
2500 P.N.C. Center
201 E. 5th St.
Cincinnati, OH 45202
Re: Avon
2. Keith Meiser
CSX Transportation, Inc.
Law Dept. J-150
500 Water St.
Jacksonville, Fla. 32202
Successor in interest to:
B&O Railroad
3. Roger Florio
Union Carbide
39 Old Ridgebury Rd.
Danbury, Conn. 06817
4. Mark R. Warnick
Blackwell Sanders
2300 Main Street, Suite 1100
Kansas City, Missouri 64108
Re: Keenan Oil
(Successor in interest = Industrial
Service Corporation).
5. Matthew J. Rumpke
Rumpke Collection & Disposal Systems
10795 Huges Road
Cincinnati, Ohio 45251
6. Kevin R. Tubbs
Director, Environmental Technology
American Standard Companies
One Centennial Avenue
P.O. Box 6820
Piscataway, NJ 08855-6820
7. David A. Copeland
Quantum Chemical Corporation
11500 Northlake Drive
Cincinnati, OH 45249
(Successor in interest to
National Distillers)
8. Scott A. Halpert
Assistant Corporate Counsel
MascoTech
21001 Van Born Road
Taylor, Michigan 48180
(Successor in interest to
Steelcraft Manufacturing Co.)
9. Kris Willings
Environmental Compliance Specialist
B.F. Goodrich Company
4020 Kinross Lakes Parkway
Richfield, OH 44286

Aeronca
1712 Germantown Road
Middleton, OH 45042-1716

Exhibit A

American Cyanamid
4555 Lake Forest Drive
Blue Ash, OH 45242

Abbott Laboratories
4555 Lake Forest Drive
Cincinnati, OH 45242

American Cyanamid Co.
3700 Dixie Highway
Fairfield, OH 45014

Avon Products, Inc.
175 Progress Place
Cincinnati, OH 45246

Chemical Leaman Tank Lines, Inc.
207 Grandview Drive
Suite 275
Ft. Mitchell, KY 41017

Chemical Leaman Tank Lines
P.O. Box 10
Ross, OH 45061

Chemical Leaman Tank Lines
4283 Wade Mill Road
Ross, OH 45061

Cincinnati Millacron
(Carlisle Chemical)
4701 Marburg Avenue
Cincinnati, OH 45209

Dow Chemical
Attn: Mike Kay
Legal Department
2030 Dow Center
Midland, MI 48674-2030

Canadian Oxy Offshore Production Co.
FM 3129 Rd.
Atlanta, TX 75551

Borden, Inc.
630 Glendale-Milford Road
Lockland, OH 45212-1105

Columbian Chemicals Company
3097 Parkway
Briarwood, OH 44212

Oil & Oxy Gas, U.S.A.
110 West 7th Street
Tulsa, OK 74119

Ford Motor Company
Sharon & Mosteller
Sharonville, OH 45241

Sealed Air Corporation
2550 Commerce Blvd.
Sharonville, OH 45241

Formica Corporation
10155 Reading Road
Eventual, OH 45241

General Electric
10001 Alliance Road
Blue Ash, OH 45242

Georgia Pacific Corp.
4710 Dues Drive
Cincinnati, OH 45014

Monsanto Company
Attn: Steve Smith F2EA
800 Lindbergh Blvd.
St. Louis, MO 63167

Morton International
Attn: Robert C. Mitchell
Litigation Counsel
100 North Riverside Plaza
Chicago, IL 60606-1596

Velsicol Chemical Corporation
A. Enrique Huerta
2603 Corporate Avenue
Suite 100
Memphis, TN 38132

C & M Chemical
1240 Imperial Blvd.
Dayton, OH 45419

John F. Bushelman Construction
Company
11980 Runyan Drive
Cincinnati, OH 45241

Champion International Corporation
601 N. "B" Street
Hamilton, OH 45013-2997

Cincinnati Enquirer
312 Elm Street
Cincinnati, OH 45202-2709

Clarke Container
Attn: Martin E. Clarke
2040 East Kemper Road
Cincinnati, OH 45241-1804

C.M. Paula Company
7773 School Road
Cincinnati, OH 45249-1590

Fisher Body Shop
220 W. Baricraft St.
Toledo, OH 43620

T.R. Ash Company
P.O. Box 4579
Lafayette, IN 47903

David Hirschberg Company
211 Longworth Street
Lockland, OH 45215

Keenan Oil
2350 Seymour Avenue
Cincinnati, OH 45212

King Wrecking
1441 Gest
Cincinnati, OH 45230

Mid-Atlantic Mechanical, Inc.
5240 Lester road
Cincinnati, OH 45213

MVM, Inc.
11997 Runyan Drive
Sharonville, OH 45241

Newberry Construction Company
10070 Windisch Road
West Chester, OH 45069

Night Hawk, Inc.
2722 Symmes Road
Fairfield, OH 45014

Queen City Barrel Company
1937 South Street
Cincinnati, OH 45204

Sanders Waste Collection
Mrs. Charles Sanders
Charles Ringel
10520 Wysecarver Road
Evendale, OH 45241

Union Carbide Corp.
400 Techne Center Drive
Suite 406
Milford, OH 45150

Whitton Trucking Company
1748 Fitzpatrick Street
Price Hill, OH 45204

Oxy USA, Inc.
Attn: Christian P. Mai
P.O. Box 300
Tulsa, OK 74102-0300

Ford Motor Company
3000 E. Sharon Rd.
Cincinnati, OH 45241

Monsanto Company
8044 Montgomery Road
Cincinnati, OH 45236

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Samuels & Northrop Co.
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Cylec Industries, Inc.
Linda Douchette-Ashman
Five Garret Mountain Plz.
West Paterson, NJ 07424

American Standard Co.
1114 Avenue of the Americas
New York, NY 10036

Anchor-Hocking Corp.
CT Corp. Systems
Registered Agent
Carew Tower
Cincinnati, OH 45202

Anchor-Hocking Corp.
P.O. Box 600
Lancaster, OH 43130-0600

Andrew Jergens Company
2535 Spring Grove Avenue
Cincinnati, OH 45214-1773

B & O Railroad
420 East West Street
Troy, OH 45373

B & O Railroad Company
St. Clair & Williams
Lawrenceburg, IN 47025

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313 West North
Chillicothe, OH 45601

BP Oil Company
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Bond Hill, OH 45229

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120 Harding Way West
Galion, OH 44833

C.M. Paula Company
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Lecil Colburne
320 South Wayne
Cincinnati, OH 45215

Champion International Corporation
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Willkie Farr & Gallagher
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380 South 5th Street
Columbus, OH 43215-5436

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A. Christian Worrell III
Graydon Head & Ritchey
P.O. Box 6464
Cincinnati, OH 45201

City of Reading
Mayor's Office
1000 Market Street
Reading, OH 45215

Clarke Sanitary Landfill
Agent: Thomas J. Clarke
2040 E. Kemper Road
Cincinnati, OH 45240

Clermont Waste Collection
640 Sunny Lane
Cincinnati, OH 45244

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Philadelphia, PA 19103-2959
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DuPont Legal Department
D8068
1007 Market Street
Wilmington, DE 19898

David Hirschberg Steel Company
P.O. Box 15815
Cincinnati, OH 45215-00815

Duff's Famous Smorgasbord
7914 Dream
Florence, KY 41042

Ford Motor Company
Attn: Robin Couch
Park Land Towers East, Suite 728
One Parkland Blvd.
Dearborn, MI 48126

Formica Corporation
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155 Route 46 West
CN-980
Wayne, NJ 07474-0980

General Electric
Nadya Chang
GE Aircraft Systems
One Neuman Way MD T165A
Cincinnati, OH 45215-6301

General Motors Corporation
Attn: Linda Bentley
3044 W. Grand Blvd.
Room 12-149
Detroit, MI 48202

General Motors Corporation
155 Tri-County Parkway
Springdale, OH 45246

Globe Valve Company
P.O. Box 278
Delphi, IN 46923

Hilton-Davis Company
William Wiegler, Env. Mgr.
2235 Langdon Farm Road
Cincinnati, OH 45237

International Paper Corp.
Eric Johannesson
International Place I
6400 Poplar Avenue
Memphis, TN 38197

Jiffy Packaging Company
Park 80 Plaza East
Saddlebrook, NJ 07662

King Container Services, Inc.
2020 Stapleton Court
Forest Park, OH 45240

Marville Corporation
Richard Lotz, Legal Department
717 17th Street
Denver, CO 80202

The Maxwell Company
10300 Evandale Drive
Evandale, OH 45241

Mecco, Inc.
211 N. University Blvd.
Middletown, OH 45042

Moore Battery Company
4312 Spring Grove Avenue
Cincinnati, OH 45223

Moore Industrial Battery
2236 Kroger Building
Cincinnati, OH 45223

Multi-Color Corp.
4575 Eastern Avenue
Cincinnati, OH 45226

New York Central Railroad Cco.
Registered Agent: Edward B. Dunlop
2994 Industrial Blvd.
Bethel Park, PA 15102

Penn Central Corporation
Michael L. Cioffi
American Premier Underwrittes, Inc.
One East Fourth Street
Cincinnati, OH 45202

PPG Industries, Inc.
Michelle Ritter
One PPG Place
40 South
Pittsburgh, PA 15272

Quantum Chemical Corp.
P.O. Box 429549
Cincinnati, OH 45249

Remington Arms Company, Inc.
Delle Donne Corpus Center
1011 Centre Road
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Wilmington, DE 19805-1270

Rumpke Waste Col. & Disposal Sys.
Chris Russell
Engineering & Envir. Affairs Div.
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Rumpke Sanitary Landfill
3882 Stuble Road
Groesbeck, OH 45251

Shell Oil
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West Chester, OH 45069

Elsa Skinner-Morgan
P.O. Box 159
West Chester, OH 45071

Steelcraft Manufacturing Company
9017 Blue Ash Road
Cincinnati, OH 45242-6825

Techno-Adhesives
12113 Mosteller Road
Sharonville, OH 45241

Watson's/J & J Distributing Co.
Registered Agent: ACFB, Inc.
600 Vine Street
Suite 2800
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King Wrecking
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Clarke's Complete Collection
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Clarke's Incinerations, Inc.
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Keenan Oil
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